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DATE **ACTION** LTR ENC DIST. BENEDETTI, R.L BENJAMIN, A. BERMAN, H.S CARNIVAL, G.J. COPP. R.D. CORDOVA, R.C. DAVIS, J.G. FERRERA, D.W. FRANZ, W.A. HANNI, B.J. HEALY, T.J HEDAHL, T.G. HILBIG, J.G. HUTCHINS, N.M. KIRBY, W.A. KUESTER, A.W MAHAFFEY, J.W. MANN, H.P. MARX, G.E. McKENNA, F.G MORGAN, R.V. PIZZUTO, V.M. POTTER, G.L. SANDLIN, N.B. SATTERWHITE, D.G. SCHUBERT, A.L. SETLOCK, G.H. SULLIVAN, M.T. SWANSON, E.R. WILKINSON, R.B. WILSON, J.M. Bushu

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Reviewed for Addressee Corres. Control RFP

Ref Ltr #

DOE ORDER # 5400 /

COLORADO DEPARTMENT OF HEALTH

Dedicated to protecting and improving the health and invironment of the people of Colorado

1300 Cherry Creek Dr. S. Denver, Colorado 80222-1530 4210 E. 11th Avenue 'hone (303) 692-2000

Laboratory Building Denver, Colorado 80220-3716 (303) 691-4700

Hay 18 12 43 PH 183



Patricia A Nolan MD A Executive Director

November 5, 1993

Mr. Richard J. Schassburger U.S Department of Energy Rocky Flats Plant Building 116 P. O. Box 928 Golden, Colorado 80402-0928

Mr. Martin Hestmark U. S. Environmental Protection Agency, Region VIII ATTN: Rocky Flats Project Manager, 8HWM-RI 999 18th Street, Suite 500, 8WM-c Denver, Colorado 80202-2405

MODIFICATION TO WORK, UNDER THE IAG, FOR OU-4 SOLAR EVAPORATION PONDS RE:

Dear Messrs. Schassburger and Hestmark,

Pursuant to Part 32, Paragraph 191 of the Interagency Agreement, the Division hereby notifies DOE and EPA that resolution of the OU-4 RFI/RI milestones dispute, initiated by DOE on June 2, 1993, constitutes a "Modification to Work". Attached for your consideration is an agreement which is proposed to formally modify the IAG consistent with the text of our September 30, 1993 "Decision of the Project Coordinators" document.

Although the agreement reflects a change in the administrative processes for the RCRA closure of OU-4, our position is that the modifications do not constitute a substantive change of technical scope which would require public comment. Likewise, the Division believes that eliminating three specific IAG deliverables, by meeting the substantive requirements of each document in a streamlined process, can be approved at the IAG Project Coordinator level.

Please also be advised that the state RCRA permit must be modified once the IAG is modified. Therefore, DOE should prepare a permit modification to implement this change.

If you have any questions concerning the attached agreement or wish to suggest modifications, please contact Harlen Ainscough of my staff at 692-3337.

Sincerely,

Gary W. Baughman, Chief Facilities Section

Hazardous Waste Control Program

Attachment

Daniel S. Miller, AGO Jackie Berardini, CDH-OE Arturo Duran, EPA Frazer Lockhart, DOE Wanda Busby, EG&G Randy Ogg, EG&G